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REILLY TAR & CHEMICAL CORPORATION

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 1, 1981

10 JUN 1981

United States Environmental Protection Agency
Region Two
Sites Notification
New York, New York 10007

Gentlemen:

We enclose herewith EPA Form 8900-1 (OMB Form No. 20000138) with respect to a site formerly owned by Reilly Tar & Chemical Corporation ("Reilly"). This form is submitted in order to avoid any possible allegation that Reilly has failed to comply with Section 103(c) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980. Reilly expressly reserves its right to question in an appropriate proceeding the applicability and the legality of the Act.

It is Reilly's belief that wastes from the operation of a coal tar refinery or a wood preservative plant using creosote are not hazardous. Reference is made to the Response of the American Wood Preservers Institute to notices issued by the EPA on October 18, 1978 of a Rebuttable Presumption Against Registration of pesticide products containing coal tar, creosote and coal tar neutral oils. Reilly is aware that creosote has been classified by the EPA as a hazardous waste in 40 C.F.R. §261.33(f) and that sludges from the treatment of wastewaters from wood preserving processes that use creosote and from creosote production have been classified as hazardous in 40 C.F.R. §261.32.

Such wastes may have been stored or treated at the facility for which this notice is submitted. Since the instructions for filing and the explanation of their applicability in the Federal Register are unclear, and because we desire to cooperate with EPA in its compilation of a comprehensive inventory this notice is submitted.

Very truly yours,

REILLY TAR & CHEMICAL CORPORATION

A handwritten signature in cursive script, appearing to read 'Robert Polack'.

Robert Polack
General Counsel

RP:BG

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